



## **BIG MOUNTAIN SEWER DISTRICT**

PO Box 1252  
Whitefish, Montana 59937

### **Board of Directors Special Meeting**

**November 9, 2020 9:00 am**

**PLEASE NOTE: This meeting was held via ZOOM.**

**1. CALL TO ORDER**

President Sato called the meeting to order at 9:04 a.m. Present via Zoom were: Jenn Sato, Sandie Carpenter, and Leslie Bales. Dave Ruoff attended via phone (speaker phone so we could all hear him). Brad Kincaid dialed in at 9:14 a.m. Lund was ABSENT.

**2. INTRODUCTIONS**

**3. PUBLIC COMMENT**

There was no public in attendance at this meeting. Bales reported she had not had any requests for the Zoom link from any other interested participants.

**4. BOARD TRANSITIONS/VACANCIES**

President Sato reported the first item is Bob Lund. Sato thanked Lund for all his service on the Board, sharing that pursuant to Montana Code Annotated statute MCA 7-13-2263 (5) with review by the Big Mountain Sewer District legal counsel, Mr. Richard Gebhardt, the Board is asked to review and conduct a vote to consider moving Bob Lund's incumbent position to vacancy. Failure to perform the duties required for three (3) consecutive months is a performance standard Mr. Lund has failed to execute successfully and the Board has not been notified of sickness or granted permission for absence. Mr. Lund has not attended a Board meeting since June 8, 2020 and there has been no response to documented communication regarding Board activities and business. Lund was notified via email of this meeting on Friday, per Counsel instruction. Lund's term ends May 31, 2022. Sato asked for a motion to declare Lund's position vacant for failure to perform duties for over three consecutive months. Carpenter made motion to declare Lund's position vacant for failure to perform duties for over three consecutive months, second by Ruoff. Motion carried with Ruoff, Carpenter and Sato voting in favor, and Lund and Kincaid ABSENT. Sato reported once the minutes have been completed they will be filed with the Flathead County Clerk, and Lund's position on the Big Mountain Sewer District Board will be officially declared vacant. The Board thanked Lund for his service to the Big Mountain Sewer District.

Sato introduced the second item for discussion – Dave Ruoff's resignation from the Big Mountain Sewer District Board. Sato thanked Ruoff for all his expertise and advice, continuing that Ruoff's knowledge has been very helpful to her over these past months. Sato asked the Board to review and accept Dave Ruoff's resignation as of today. Sato explained that documentation of Ruoff's resignation will be filed with the Flathead

County Clerk's office upon receipt, stating Ruoff's term ends on May 31, 2024. Sato asked if there was a motion to accept Ruoff's resignation. Carpenter made motion to accept Ruoff's resignation effective today, November 9, 2020; seconded by both Ruoff and Sato. Motion carried with Carpenter, Ruoff, and Sato voting to accept and Lund and Kincaid ABSENT. Kincaid joined the meeting at 9:14 a.m. apologizing for being delayed. Sato explained Ruoff's resignation, read the original motion to accept Ruoff's resignation made by Carpenter, and Kincaid also voted to accept Ruoff's resignation as of today. The Board thanked Ruoff for all his service to the Big Mountain Sewer District.

Sato reported Big Mountain Sewer District has received two bio's from Big Mountain residents who are interested in serving on the Big Mountain Sewer Board, and sharing there are two other persons who are working on bios' also. The two bio's received are from Kathy McAughan and Al Clough. The bio's will be sent out to the Board as a group once they have all been received, prior to the already scheduled quarterly meeting of the Big Mountain Sewer District. The upcoming meeting is on December 8, 2020 at 9:00 a.m. in the Northern Lights Conference Room, Kandahar Lodge. The Board can take action at that meeting to fill the two vacancies on the Board. Sato shared that even though Ruoff no longer lives on the Mountain, he has a great amount of expertise and will be willing to call in and answer questions, etc. for our meeting. The Board thanked Ruoff for this generous offer. Ruoff commented other property owners may also call in or attend any meetings.

5. MISCELLANEOUS FOR THE GOOD OF THE ORDER

There was no business for the good of the order.

6. ADJOURN

President Sato adjourned the meeting at 9:18 a.m.

  
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Jennifer Sato, President

  
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Leslie Bales, Secretary